

EXHIBIT E

FILE COPY

**UPSTATE NEW YORK BAKERY DRIVERS AND
INDUSTRY PENSION FUND**

Kathleen Sweeney Meck, CEBS
Administratrix

Employer Trustees
Rodney Malarchik
Karen Bolcavage-Colosi
Paul Fenton

Union Trustees
Irving Wood
Paul Markwitz
Ozzie Martucci

February 27, 2009

Irving H. Picard, Esq.
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, Texas 75201

Dear Trustee Picard:

Enclosed please find a complete original SIPC claim filing and supporting documents on behalf of the Board of Trustees for the Upstate New York Bakery Drivers and Industry Pension Fund ("Fund").

Please advise if any additional documents are needed. The Fund looks forward to receiving payment of the claim as soon as practicable.

Sincerely,



Kathleen Sweeney Meck, CEBS
Administratrix

Enclosures

State Tower Building 109 S. Warren St. Suite 1103 Syracuse, NY 13202
Email: Benefits@UpstateNYBakeryDriversPensionFund.org
Toll free 1-866-225-3790 (1-866-BAKERY-0) Tel: (315)422-3232 Fax: (315)476-5560

CUSTOMER CLAIM

Claim Number _____

Date Received _____

BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEMBER 11, 2008

Upstate NY Bakery Drivers & Industry Pension Fund
State Tower Building, Suite 1103
Syracuse, NY 13202
Income Plus Investment Fund,
Madoff Account #: 1-I0004
Tax ID #: 15-0612437

Provide your office and home telephone no.

OFFICE: (315) 422-3232

HOME: (315) 345-9084

Taxpayer I.D. Number (Social Security No.)
15-0612437

(If incorrect, please change)

NOTE: BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

1. Claim for money balances as of December 11, 2008:
- a. The Broker owes me a Credit (Cr.) Balance of \$ 229.50
- b. I owe the Broker a Debit (Dr.) Balance of \$ - 0 -

- c. If you wish to repay the Debit Balance,
please insert the amount you wish to repay and
attach a check payable to "Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC."
If you wish to make a payment, it must be enclosed
with this claim form.

\$ - 0 -
None

- d. If balance is zero, insert "None."

2. Claim for securities as of December 11, 2008:

PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION.

- | | <u>YES</u> | <u>NO</u> |
|---|---------------|---------------|
| a. The Broker owes me securities | <u>X</u> | <u> </u> |
| b. I owe the Broker securities | <u> </u> | <u>X</u> |
| c. if yes to either, please list below: | | |

| Date of Transaction (trade date) | Name of Security | Number of Shares or Face Amount of Bonds | |
|--|--|---|--------------------------------|
| | | The Broker Owes Me (Long) | I Owe the Broker (Short) |
| <u> </u> | <u>\$ 1,639,700.80</u> | <u>X</u> | <u> </u> |
| <u> </u> | <u>Please refer to Income Plus</u> | <u> </u> | <u> </u> |
| <u> </u> | <u>Investment Fund SIPC Claim:</u> | <u> </u> | <u> </u> |
| <u> </u> | <u>the above estimated amount is the</u> | <u> </u> | <u> </u> |
| <u> </u> | <u>claimant's share of the madoff</u> | <u> </u> | <u> </u> |
| | <u>loss only.</u> | | |

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

- | | <u>YES</u> | <u>NO</u> |
|---|------------|-------------|
| 3. Has there been any change in your account since December 11, 2008? If so, please explain. | _____ | _____X_____ |
| 4. Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker? | _____ | _____X_____ |
| 5. Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker? | _____ | _____X_____ |
| 6. Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s) | _____ | _____X_____ |
| 7. Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming. | _____ | _____X_____ |
| 8. Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers. | _____ | _____X_____ |

9. Have you or any member of your family ever filed a claim under the Securities Investor Protection Act of 1970? if so, give name of that broker. _____ X

Please list the full name and address of anyone assisting you in the preparation of this claim form: See Exhibit A

If you cannot compute the amount of your claim, you may file an estimated claim. In that case, please indicate your claim is an estimated claim.

IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.

THE FOREGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY INFORMATION AND BELIEF.

Date 2.27.09

Signature

William J. Cheney

Date _____

Signature _____

(If ownership of the account is shared, all must sign above. Give each owner's name, address, phone number, and extent of ownership on a signed separate sheet. If other than a personal account, e.g., corporate, trustee, custodian, etc., also state your capacity and authority. Please supply the trust agreement or other proof of authority.)

See Exhibit B

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

**LIST OF INDIVIDUALS PROVIDING
ASSISTANCE WITH CLAIM FORM FOR
UPSTATE NEW YORK BAKERY DRIVERS
AND INDUSTRY PENSION FUND**
[EIN #51-6114037]

Dr. John P. Jeanneret, President
J.P. Jeanneret Associates, Inc.
White Memorial Building
100 East Washington Street
Syracuse, New York 13202
Telephone: (315) 478-2770

Charles E. Blitman, Esq.
Jonathan M. Cerrito, Esq.
Blitman & King LLP
Franklin Center, Suite 300
443 North Franklin Street
Syracuse, New York 13204-5412
Telephone: (315) 422-7111

Kathleen Sweeney Meck, Administratrix
Upstate New York Bakery Drivers and
Industry Pension Fund
State Tower Building
Suite 1103
Syracuse, New York 13202
Telephone: (315) 422-3232

UPSTATE NEW YORK BAKERY DRIVERS PENSION FUND
EIN NO. 51-6114037

UNION TRUSTEES

Irving Wood, Secretary
c/o Teamsters Local 669
890 Third Street
Albany, New York 12206
Telephone: (518) 438-8912

Paul A. Markwitz
c/o Teamsters Local 118
130 Metro Park
Rochester, New York 14623
Telephone: (585) 256-1350

Ozzie Martucci
Local #669
890 Third Street
Albany, New York 12206
Telephone:

EMPLOYER TRUSTEES

Karen Bolcavage-Colosi
c/o Crowley Foods Executive Offices
95 Court Street
Binghamton, New York 13901
Telephone: (607) 779-3443

Paul A. Fenton
c/o 111 Kawatuska Way
Loudon, Tennessee 37774
Telephone: (865) 657-9571

Rodney Malarchik, Chairman
Stroehmann Bakeries, LLC
255 Business Center Drive
Suite 200
Horsham, Pennsylvania 19044
Telephone: (800) 355-1260

RESOLUTION

WHEREAS, the Upstate New York Bakery Drivers and Industry Pension Fund ("Fund") is an independent functioning Taft-Hartley ERISA Employee Benefit Plan; and

WHEREAS, the Fund invested Plan assets with Bernard L. Madoff Investment Securities LLC through Beacon Associates LLC, Andover Associates LLC and/or the Income-Plus Investment Fund; and

WHEREAS, the Fund is desirous of filing a Securities Investor Protection Corporation ("SIPC") Customer Claim Form to be mailed to Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC, along with supporting documents, in a timely fashion prior to March 4, 2009.

THEREFORE, it is resolved that the Trustees of the Fund hereby authorize Kathleen Sweeney Meck, Administratrix of the Fund, to sign the Customer Claim Form and any and all other documents pertaining to the SIPC claim, to file such Customer Claim Form, and to take any and all other necessary actions to effectuate, complete, amend and file a correct Customer Claim Form on behalf of the Fund.

For administrative ease and quickness, each Trustee will execute this Resolution independently of each other in a number of counterparts. Together the counterparts shall constitute a full and original Resolution for all purposes.

Dated: 2/26/09

Dated: _____

**UPSTATE NEW YORK BAKERY DRIVERS
AND INDUSTRY PENSION FUND**

By: _____

Paul Markwitz, Union Trustee

By: _____

Oswald Martucci, Union Trustee

Dated: _____

By: _____
Irving Wood, Union Trustee

Dated: _____

By: _____
Karen Bolcavage-Colosi, Employer Trustee

Dated: _____

By: _____
Paul Fenton, Employer Trustee

Dated: _____

By: _____
Rodney Malarchik, Employer Trustee

RESOLUTION

WHEREAS, the Upstate New York Bakery Drivers and Industry Pension Fund ("Fund") is an independent functioning Taft-Hartley ERISA Employee Benefit Plan; and

WHEREAS, the Fund invested Plan assets with Bernard L. Madoff Investment Securities LLC through Beacon Associates LLC, Andover Associates LLC and/or the Income-Plus Investment Fund; and

WHEREAS, the Fund is desirous of filing a Securities Investor Protection Corporation ("SIPC") Customer Claim Form to be mailed to Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC, along with supporting documents, in a timely fashion prior to March 4, 2009.

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For administrative ease and quickness, each Trustee will execute this Resolution independently of each other in a number of counterparts. Together the counterparts shall constitute a full and original Resolution for all purposes.

**UPSTATE NEW YORK BAKERY DRIVERS
AND INDUSTRY PENSION FUND**


Dated: _____

By: _____
Paul Markwitz, Union Trustee

Dated: 2/2/09

By: 
Oswald Martucci, Union Trustee

Dated: 2/17/09

By: 
Irving Wood, Union Trustee

Dated: _____

By: _____
Karen Bolcavage-Colosi, Employer Trustee

Dated: _____

By: _____
Paul Fenton, Employer Trustee

Dated: _____

By: _____
Rodney Malarchik, Employer Trustee

RESOLUTION

WHEREAS, the Upstate New York Bakery Drivers and Industry Pension Fund ("Fund") is an independent functioning Taft-Hartley ERISA Employee Benefit Plan; and

WHEREAS, the Fund invested Plan assets with Bernard L. Madoff Investment Securities LLC through Beacon Associates LLC, Andover Associates LLC and/or the Income-Plus Investment Fund; and

WHEREAS, the Fund is desirous of filing a Securities Investor Protection Corporation ("SIPC") Customer Claim Form to be mailed to Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC, along with supporting documents, in a timely fashion prior to March 4, 2009.

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**UPSTATE NEW YORK BAKERY DRIVERS
AND INDUSTRY PENSION FUND**

Dated: _____

By: _____
Paul Markwitz, Union Trustee

Dated: _____

By: _____
Oswald Martucci, Union Trustee

Dated: _____

By: _____
Irving Wood, Union Trustee

Dated: 2/23/09

By: K. Bolcavage-Colosi
Karen Bolcavage-Colosi, Employer Trustee

Dated: _____

By: _____
Paul Fenton, Employer Trustee

Dated: _____

By: _____
Rodney Malarchik, Employer Trustee

RESOLUTION

WHEREAS, the Upstate New York Bakery Drivers and Industry Pension Fund ("Fund") is an independent functioning Taft-Hartley ERISA Employee Benefit Plan; and

WHEREAS, the Fund invested Plan assets with Bernard L. Madoff Investment Securities LLC through Beacon Associates LLC, Andover Associates LLC and/or the Income-Plus Investment Fund; and

WHEREAS, the Fund is desirous of filing a Securities Investor Protection Corporation ("SIPC") Customer Claim Form to be mailed to Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC, along with supporting documents, in a timely fashion prior to March 4, 2009.

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**UPSTATE NEW YORK BAKERY DRIVERS
AND INDUSTRY PENSION FUND**

Dated: _____

By: _____
Paul Markwitz, Union Trustee

Dated: _____

By: _____
Oswald Martucci, Union Trustee

Dated: _____

By: _____
Irving Wood, Union Trustee

Dated: _____

By: _____
Karen Bolcavage-Colosi, Employer Trustee

Dated: 2/20/09

By: Paul Fenton
Paul Fenton, Employer Trustee

Dated: _____

By: _____
Rodney Malarchik, Employer Trustee

RESOLUTION

WHEREAS, the Upstate New York Bakery Drivers and Industry Pension Fund ("Fund") is an independent functioning Taft-Hartley ERISA Employee Benefit Plan; and

WHEREAS, the Fund invested Plan assets with Bernard L. Madoff Investment Securities LLC through Beacon Associates LLC, Andover Associates LLC and/or the Income-Plus Investment Fund; and

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**UPSTATE NEW YORK BAKERY DRIVERS
AND INDUSTRY PENSION FUND**

Dated: _____

By: _____
Paul Markwitz, Union Trustee

Dated: _____

By: _____
Oswald Martucci, Union Trustee

Dated: _____

By: _____
Irving Wood, Union Trustee

Dated: _____

By: _____
Karen Bolcavage-Colosi, Employer Trustee

Dated: _____

By: _____
Paul Fenton, Employer Trustee

Dated: 2/18/09

By: Rodney Malachuk
Rodney Malachuk, Employer Trustee